

# TRIAL EXHIBIT 47

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**From:** Adam Morgan  
**Sent:** Thursday, February 4, 2016 11:10 AM  
**To:** Scott Gidley  
**Cc:** Josh Berger; Justin Call  
**Subject:** RE: RE: BBB Complaint - Phone Call

Can you confirm with Exact Target as well, that this person will not be called/texted again. Winback or otherwise. Thanks.

**Adam•Morgan**  
Chief Legal Officer | ViSalus

[amorgan@visalus.com](mailto:amorgan@visalus.com) | <http://visalus.com>  
cell: 407-402-1610

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**From:** Scott Gidley  
**Sent:** Thursday, February 04, 2016 2:03 PM  
**To:** Adam Morgan  
**Cc:** Josh Berger; Justin Call  
**Subject:** RE: RE: BBB Complaint - Phone Call

This is the response I sent yesterday. Based on the complaint, I think that confirming the phone number has been removed was the best action. I didn't want to get into the other details.

Dear Ms. Stevens,

Thank you for the opportunity to respond to this complaint.

According to our records, Ms. Dickens was contacted twice in December regarding a Win-Back promotion our company was offering. Two messages were left via voice mail. When Ms. Dickens called Customer Support on December 17, 2015, her phone number was placed on the DNC List. The phone number in question has since been removed from our system. Any incoming phone calls are informed by recording that the call may be recorded for quality-assurance purposes.

We apologize for any inconvenience this may have caused. If we can offer any other assistance, please contact us.

**Scott•GIDLEY**  
Compliance Analyst

<http://vi.com> | [sgidley@vi.com](mailto:sgidley@vi.com) | 248.764.7337 | fax 248.250.5849

**It's not business. It's personal.**

# Body by Vi<sup>TM</sup>

## CHALLENGE

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**From:** Adam Morgan  
**Sent:** Thursday, February 04, 2016 1:54 PM  
**To:** Scott Gidley  
**Cc:** Josh Berger; Justin Call  
**Subject:** RE: RE: BBB Complaint - Phone Call

What is the status of this? Have you or are you replying?

Please copy us.

Thanks.

**Adam Morgan**  
Chief Legal Officer | ViSalus

[amorgan@visalus.com](mailto:amorgan@visalus.com) | <http://visalus.com>  
cell: 407-402-1610

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**From:** Scott Gidley  
**Sent:** Tuesday, January 26, 2016 4:45 PM  
**To:** Adam Morgan  
**Cc:** Josh Berger  
**Subject:** RE: BBB Complaint - Phone Call

- Original complaint filed 12/17/15
- First notification from BBB 1/13/16
- Second notification from BBB 1/21/16
- Customer did not specify if the phone number provided is the phone number where she received the call.
- Customer has two accounts
  - o 1705333 – Kelly Dickens
    - Phone: 417-850-5937
    - Last activity: 2/27/14 when it was automatically downgraded from a promoter account to a customer account
    - Phone number also belongs to upline Cathy Dickens 1248022
  - o 3860813 – Kelly Ryan
    - Phone: 312-208-3041
    - Last activity: 3/12/15 when autoship order was cancelled through Vi-Net

Just confirmed that two messages were left on her answering machine as part of the WinBack campaign, 12/7/15 and 12/17/15, on the account 3860813. There is no record that she called back from the messages however her phone number is on our DNC list. We did not speak with her on either of the outbound calls and as far as I know, our automated message informs all incoming calls that the call may be recorded.

**Scott•GIDLEY**

Compliance Analyst

<http://vi.com> | [sgidley@vi.com](mailto:sgidley@vi.com) | 248.764.7337 | fax 248.250.5849

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CHALLENGE